

1 Nathan R. Ring
2 Nevada State Bar No. 12078
2 **STRANCH, JENNINGS & GARVEY, PLLC**
3 3100 W. Charleston Blvd., Ste. 208
3 Las Vegas, NV 89102
4 Telephone: 725-235-9750
4 LasVegas@StranchLaw.com

5 *Attorneys for Plaintiff and the Proposed Class*

6 Todd L. Bice
7 NV State Bar No. 4534
7 **PISANELLI BICE, PLLC**
8 400 S. 7th Street Suite 300
8 Las Vegas, NV 89101
9 Telephone: 702.214.2100
9 tlb@pisanellibice.com

10 Angela C. Agrusa (CA State Bar No. 131337)*
10 **DLA PIPER LLP (US)**
11 2000 Avenue of the Stars
11 Suite 400 North Tower
12 Los Angeles, CA 90067-4735
12 Telephone: 310.595.3000
13 angela.agrusa@us.dlapiper.com

14 **Pro hac vice application forthcoming*

15 *Attorneys for Defendant*
15 *MGM Resorts International*

18 **UNITED STATES DISTRICT COURT**
19 **DISTRICT OF NEVADA**

20 DAVID ZUSSMAN, individually and on behalf
20 of all others similarly situated

21 Plaintiff,

22 v.

23 VICI PROPERTIES L.P., et al.,

24 Defendants.

Case No. 2:23-cv-1537-CDS-BNW

**STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT
(SECOND REQUEST)**

26

27

28

Pursuant to LR IA 6-1, Plaintiff David Zussman and Defendant MGM Resorts International (“MGM”) respectfully stipulate MGM’s time to respond to the Complaint be extended from the current deadline of December 12, 2023 to and including January 11, 2024. This is the second stipulation for an extension of time to file MGM’s responsive pleading. The court previously granted an extension on October 27, 2023. ECF No. 17.

Good cause exists to enlarge the time for MGM to respond to the Complaint. There are currently ten other related actions filed against MGM pending in the District of Nevada (the “Related Actions”). *See Kirwan v. MGM Resorts Int’l*, No. 2:23-cv-01481 (D. Nev.); *Zussman v. VICI Properties 1 LLC, et al.*, No. 2:23-cv-01537 (D. Nev.); *Lackey v. MGM Resorts Int’l*, No. 2:23-cv-01549 (D. Nev.); *Pircio v. MGM Resorts Int’l*, No. 2:23-cv-01550 (D. Nev.); *Terezo v. MGM Resorts Int’l*, No. 2:23-cv-01577 (D. Nev.); *Rundell v. MGM Resorts Int’l*, No. 2:23-cv-01698 (D. Nev.); *Bezak v. MGM Resorts Int’l*, No. 2:23-cv-01719 (D. Nev.) *Albrigo v. MGM Resorts Int’l*, No. 2:23-cv-1981 (D. Nev.); *Owens v. MGM Resorts Int’l*, No. 2:23-cv-1480 (D. Nev.); *Manson v. MGM Resorts Int’l*, No. 2:23-cv-01826. One other action is pending in the District of New Jersey. *Lassoff v. MGM Resorts Int’l*, No. 1:23-cv-20419.

17 The parties in the Related Actions are actively preparing a joint motion to consolidate
18 the Related Actions. As such, additional time is required to permit time to meet and confer
19 with the various parties to the Related Actions and finalize the joint motion.

20 The Parties' request is made in good faith to enable the parties to finalize the joint
21 motion for consolidation and conserve judicial and party resources. Moreover, this case is
22 in its infancy, and this request will not prejudice any party.

23 **WHEREAS** the Parties respectfully request that MGM shall have until January 11,
24 2024 to answer, move, or otherwise respond to the Complaint.

25 | Dated: December 11, 2023 Respectfully submitted,

/s/ Nathan R. Ring

Nathan R. Ring
STRANCH, JENNINGS & GARVEY,

PLLC
3100 W. Charleston Blvd., Ste. 208
Las Vegas, NV 89102
Telephone: 725-235-9750
LasVegas@StranchLaw.com

Attorneys for Plaintiff and the Proposed Class

/s/ Todd L. Bice

Todd L. Bice
PISANELLI BICE, PLLC
400 S. 7th Street Suite 300
Las Vegas, NV 89101
Telephone: 702.214.2100
tlb@pisanellibice.com

Angela C. Agrusa
DLA PIPER LLP (US)
2000 Avenue of the Stars
Suite 400 North Tower
Los Angeles, CA 90067-4735
Telephone: 310.595.3000
angela.agrusa@us.dlapiper.com

*Attorneys for Defendant
MGM Resorts International*

IT IS SO ORDERED:

Gernot Winkel

DATED: 12/12/2023